

# CCA *Speaks*

January - June 2006 / Inaugural Issue

## Welcome Message From The Executive Director



Kenneth E. Glenn, Interim Executive Director

**W**elcome to the Inaugural Issue of the Citizen Complaint Authority (CCA) newsletter. This newsletter will be published quarterly and is intended to keep the community, CCA Board and City Administration informed and up-to-date on the activities of the agency. Our staff met and discussed a name for the newsletter. There were a number of ideas, and the staff overwhelmingly voted for Phillis Carlton's suggestion of "CCA Speaks". The first edition will cover two quarters, January through June and the next edition will cover July through September.

CCA was created in 2002 as one of the components of the Collaborative Agreement (CA) as an independent civilian police oversight agency.

CCA is charged with conducting independent investigations into serious police interventions, including but not limited to shots fired, death in custody, major uses of force and racial profiling. The CA also states that in an investigation, the CCA will investigate all relevant police activity.

Since its beginning, CCA has reviewed approximately 1600 complaints. Of those complaints, CCA retained and investigated 538 and monitored the balance that was referred to CPD for its Citizen Complaint Resolution Process (CCRP).

In future publications, we will attempt to keep the community informed of issues not only involving our agency, but issues that affect the police oversight community and our community as a whole.

In June, our agency went online with a new database called the Citizen Complaint Management System (CCMS). We would like to thank Vernell Turner, Manager from the Regional Computer Center (RCC) who designed and built the first phase at no cost to our agency. It was estimated that this phase would have cost approximately \$100,000. We have obtained funding for the second phase that will add additional functionality. This new database will allow our agency to generate statistical data and manage our agency in a more timely and efficient manner.

The following are some areas that will be included in future publications:

- Quarterly statistical data
- A CPD policy review/case scenario
- NACOLE updates, i.e. recent court cases, taser information, news from other oversight agencies etc.
- Interviews with Community Leaders/CCA Board members
- Community Outreach
- Federal Monitors update on CCA
- Staff Training
- Frequently asked Question (FAQ) section
- Did you know? Example, historical information regarding the fields of law enforcement and civilian police oversight

We welcome any suggestions as to how we can make this newsletter more informative. •

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# National Association for Civilian Oversight of Law Enforcement (NACOLE) Update

CCA is an active member of NACOLE, which is an organization of approximately one-hundred civilian oversight agencies from cities throughout the United States, Canada and England. It establishes guidelines and makes recommendations for best practices in the field of civilian police oversight.

Member organizations share information that effect all of our agencies, i.e. taser updates, court cases, use of force policies, etc. We will share these updates with our readers.

The following are recommended guidelines established by NACOLE for oversight agencies to be credible to the community and police.

The three critical mistakes persons engaged in any model of oversight must avoid are:

- Failure to be adequately prepared and informed as to the relevant case details and governing policies and laws;
- Over-identification with the community/complainant;
- Over-identification with the police

Credible oversight comes from the center of the following continuum:

Over Identification with Community	Not Identified with Community or Police: Respect toward Both; Constructive Tension	Over Identification with Police
Disrespectful, overheated rhetoric in discussions with police. Assume police are wrong.  Failure to learn the details sufficiently and know the legal issues clearly. Assume police did what they are accused of.	Fair, firm, consistent dialogue over clearly defined issues. Respectful without assuming subordinate role. Unblinking attention to the issues.  We model --for police and community--the behavioral changes we seek.  Assume that either version may be true, exaggerated, falsified or merely mistaken;  We do not know until we examine the evidence.	Too cozy with police. Assume police are right. Assume military models apply to policing ("It's war;" "Enemies").  Assume complainants have ulterior motives. Assume police "could not have" done what they're accused of.

The following are two recent updates from member organizations:

## *U.S. Supreme Court Case*

In May, 2006 the U. S. Supreme Court in the case *Croan vs. Chaker*, 05-1118 denied California's appeal of a ruling that declared unconstitutional a state law allowing the criminal prosecution of someone who knowingly files a false complaint against a law enforcement officer. The justices, without comment, left intact a decision by the Ninth U.S. Circuit Court saying the law violated freedom of speech. The appeals court said the law discriminates on the basis of a speaker's viewpoint because those who falsely criticize the police can be prosecuted, but those who falsely support the police are immune.

## *Taser Case*

For the second time in 2006, the Santa Clara, California Coroner Dr. Christopher Happy concluded that the use of a taser by San Jose, California police contributed to the death of a man who was tased 20 times. Dr. Happy said the individual likely would have died from injuries he suffered from being beaten with a baseball bat by a group of men in downtown San Jose before he encountered the police. He was tased approximately 90 minutes after the beating.



12th Annual NACOLE Conference  
"Making Justice Visible"

September 25 - 26, 2006

Boise, Idaho •

## Welcome New Board Members

The CCA Staff and current Board Members would like to welcome Anthony E. Thomas, Jr. and Attorney Stephen T. MacConnell who were recently appointed by Mayor Mark Mallory to the CCA Board for a two-year term.

Mr. Thomas is currently the Director of Adult Services for Urban League of Greater Cincinnati, and Mr. MacConnell is currently the President and CEO of Cincinnati Union Bethel. •

## CPD Policy Review

In each publication we will review one of CPD's policies and procedures that we most often are called upon to review. We will give a case scenario that will fit that policy with an explanation. The following is our first review:

CPD Policy and Procedures Investigatory Stops Section 12.554 states in part: When an officer has reasonable suspicion to believe a citizen is committing or has committed a crime,

based upon that reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period.

### *Scenario:*

The police receive a call of a white male with black pants looking in windows of citizens' residences. An officer arrives and observes a white male fitting the description a street over from where the call originated. The officer approached and detained the male.

### *Question & Explanation:*

Did the officer follow policy, procedure and/or training? Yes, based upon the description and the close proximity to where the call originated, the officer had "reasonable" suspicion to believe he may have been involved. The officer can detain him for a brief investigatory period. •

## Staff Training

In keeping with the responsibility to provide the community with a first class civilian oversight agency, we are committed to making our agency as knowledgeable and professional as possible. Training is a key component to achieving that goal. We will continue to look for training that will enhance and hone our investigative, computer and customer service skills.



CCA staff members: (l-f) Melingqua Terry, Dave Moonitz, Diedre Larkins, Greg Pychewicz, Michelle Bonner, Phillis Carlton, Dena Brown

During the month of April, Investigators Diedre Larkins and Dena Brown attended a four-day session at the Reid

& Associates School for interviewing and interrogation that was conducted at the Phoenix Hotel in downtown Cincinnati. This school is nationally recognized in the law enforcement community and gave both investigators a new and different prospective on interviewing complainants, witnesses and officers. The Executive Director will be attending the National Organization of Black Law Enforcement Executive (NOBLE) 30th Annual Convention and Training Conference at the Duke Energy Center in July. Two staff members will attend NACOLE's Annual Convention in Boise, Idaho in September. •

## Federal Monitor's Update

Federal Monitor Saul Green issues a quarterly report that captures our agency's compliance with federally mandated requirements. There are requirements for the CCA in both the Memorandum Agreement (section 51-56) and Collaborative Agreement (section 55-64). In the Monitor's 13th quarterly report, the CCA was in compliance with all of its mandated requirements. •

## Did You Know?

*By David L. Moonitz*

Did you know that the first paid professional police department was established in Boston Massachusetts. The first "night watch" was established in 1635 and in 1788 the specific office, Inspector of Police was established. A law was enacted in 1838 permitting "day patrol" and the official Boston Police Department was established in 1854.

Did you know that the first known use of fingerprints in the U.S. was in 1882. Gilbert Thompson, a member of the U.S. Geological Survey in New Mexico used his on a document to prevent forgery.

## Frequently Asked Questions

**Q:** Can the CCA help me with my court case?

**A:** No. The CCA is a City of Cincinnati police oversight agency that only has administrative authority. We do not get involved in any type of criminal or civil litigation. Our charge is to investigate citizen complaints against Cincinnati Police Officers.

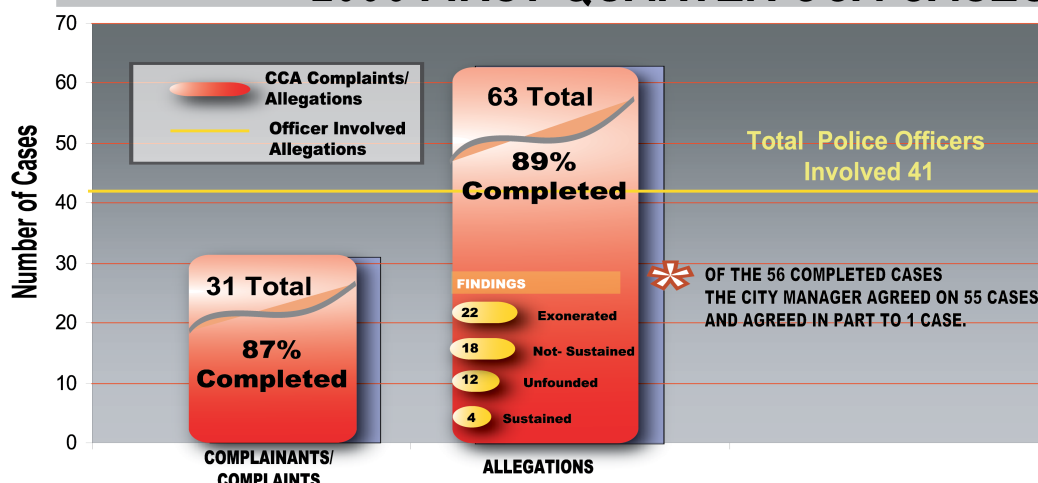


Cincinnati Police Department, District 1

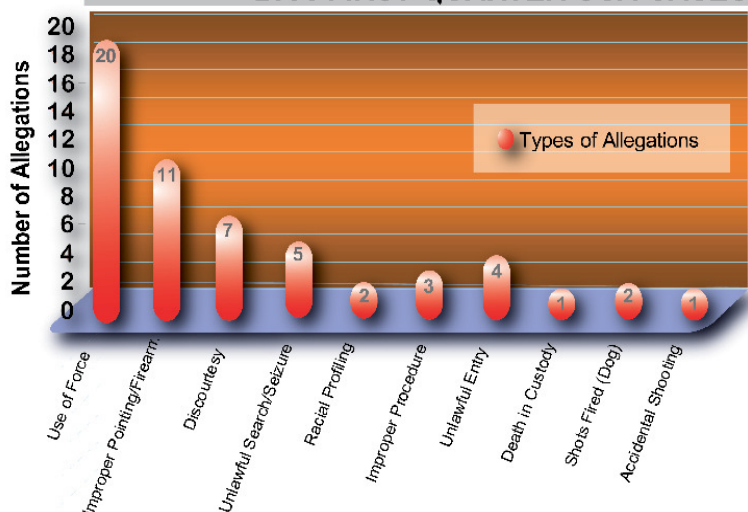


# 2006 FIRST QUARTER CASES

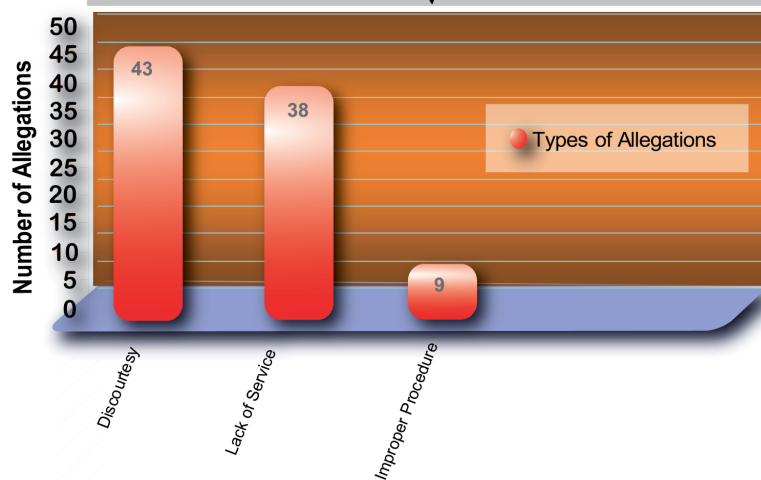
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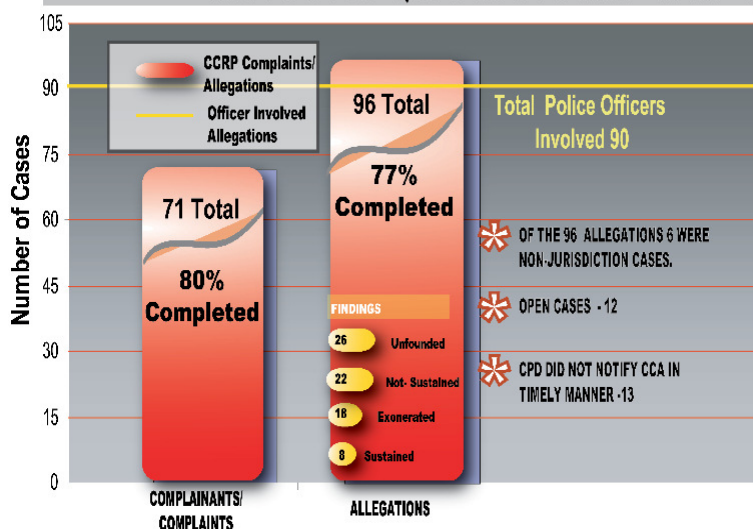
## 2006 FIRST QUARTER CCA CASES



## 2006 FIRST QUARTER CCRP CASES



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### CCA Speaks

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